

## INCOME TAX AWAITS REGULAR SESSION

Gov. Smith Decides Law Can  
Be Amended in January  
as Well as Now.

### RESULT OF CONFERENCES

Comptroller Travis Proceeds  
to Organize Machinery to  
Collect Levy.

Special Dispatch to The Sun.  
ALBANY, July 22.—The Legislature will not meet in special session to remedy constitutional defects in the State income tax law. Gov. Smith, following a conference with Attorney General Newton, State Comptroller Travis and legislative leaders, declared this afternoon that the situation as it now exists can await action until the Legislature convenes in January and that in his opinion nothing can be done now that cannot be done as well at that time.

"I am of opinion," said the Governor, "that no proof to warrant the calling of the Legislature in extraordinary session has been presented. I think all of the points in dispute can be cleared up in January. As far as I can see nothing we may do now could be done better than it can during the regular session."

"I have every reason to believe the statute is all right, with the exception of the minor defects dealing with the taxation of non-residents. The question of the right of the State to tax the incomes earned by non-residents within the State probably will be settled in the United States Supreme Court in December, when it is expected the action against the State of Oklahoma involving this same question will be settled."

With possible delay in setting the State's income tax machinery in motion eliminated Comptroller Travis, who has supervision over the Income Tax Department, will speed up the organization of the new department. The income tax bureau will occupy three floors in the building now housing the Comptroller's office, and to give room for it the Adjutant-General's office, the Banking Department and the Conservation Commission will have to move.

## JERSEY LAWYERS TO APPEAR IN TAX TEST

Yale & Towne's Suit Attacks  
Only Non-Resident Clause.

F. Carroll Taylor, who with Louis H. Porter is counsel for the Yale & Towne Manufacturing Company, which has begun suit in the Federal Court challenging the constitutionality of the New York State income tax law so far as it affects non-residents, said yesterday that lawyers representing the State of New Jersey would appear in the litigation as friends of the court. Computations between New Jersey and New York have voided the largest volume of protest against provisions of the law that are alleged to discriminate against non-residents who earn salaries or income in this State.

John W. Griggs, formerly United States Attorney-General and formerly Governor of New Jersey, who was appointed to direct the New Jersey attack on the New York State law, will return from a vacation in Canada to-day. It was said at his office in Pine street yesterday that the return of Mr. Griggs to New Jersey would appear in the Federal Court to-morrow morning probably was the cause of his unexpected return.

Mr. Taylor said that if the suit of his clients is successful the effect will be merely to set aside those provisions of the law which apply to non-residents. There is a question, he said, whether non-residents may be exempted altogether from the tax or only from those provisions alleged to be discriminatory, but there is no question but that the law will be left intact as it applies to residents of the State.

Under the law the tax accrues as 1919 advances. It is made payable before March 15, 1920. Mr. Taylor said that pending a decision in the suit Yale & Towne and other employers of commuters are withholding from salaries as they are paid the percentage required by the tax law.

## ST. SWITHIN HALTED U. S. AVIATION PLANS

Continued Wet Weather Holds  
Up Commercial and Army  
Flights.

In the days of Swithin, Bishop of Winchester (who wasn't a saint at all) only witches flew, riding the mysterious night, and his damp Grace could not be expected to make any special provision for aviators in the forty days traditionally due him.

The most matter of fact bulletin issued by the office of the Director of Air Service at Washington does not naturally refer to this annoying oversight of the good prelate of twelve centuries past, nor does it mention his Grace by name. But it clearly and protectingly speaks of the harm done to aeronautics by the persistent deluge of the last nine days. There has been practically little flying anywhere recently. The rains have played hob with military and commercial aviation. The bulletin summarizes conditions thus:

"Weather unfavorable for flying east of longitude 95. Heavy clouds of great depth rest upon the mountains, with fog and rain upon the Atlantic coast and in the Ohio and Mississippi valleys west of longitude 95. Good, subject to haze and electrical, upon the Pacific coast."

The very place where Swithin's rain would have been of most service was just where it failed to precipitate—in Montana, Idaho, Washington and Oregon—where great forest fires are raging. In these vast forest sections there is as yet no aerial patrol. Many lives are jeopardized and the property loss is tremendous. These matters are noted by the air service bulletin, together with the fact that air patrols are on diligent watch day and night over the California forests and have reported many fires that were quickly extinguished.

The military squadron on flight from Dallas to Boston is held up at Washington and New York, three planes at Washington and four here at Hazelhurst Field, waiting for good weather. Their mileage to date is 3,691 in 2,348 minutes. The transcontinental fliers are at San Diego, Cal., having flown 1,492 miles in 860 minutes. Col. R. S. Harts is waiting at Washington for a cessation of rain and fog so that he can start on his border transcontinental flight of 2,495 miles around the country in a United States bomber. At Hazelhurst Field the all-American aerial pathfinders are tuning up their airplanes and trucks while disconcertedly eyeing the dripping heavens.

Bad weather has stopped aerial photographic expeditions.

## SOLDIERS ATTACK VICTORIA PREMIER

Inkwell Thrown When He  
Refuses to Free Prisoners.

MELBOURNE, July 22.—As the outcome of a stormy interview between H. S. W. Lawson, Premier of Victoria, and a delegation of soldiers in the Premier's office yesterday the Premier was struck on the head and cut by an inkwell thrown by one of the soldiers. The men then proceeded to pelt the office furniture into the street and tore up important official documents. The police dispersed the rioters and arrested five of them. Later a crowd attempted to rush the watchhouse nearby and stoned the police, but was dispersed with several casualties.

The difficulty had its origin yesterday when a crowd, including returned soldiers and sailors attempted to rush a military barracks. Shots were fired and a passing soldier was killed. There were several arrests and afterward excited meetings of soldiers were held at which the police methods were denounced.

Today representatives of the soldiers went to Premier Lawson's office and demanded the release of the men arrested. The Premier promised to make an inquiry into the affair, but this did not satisfy the men, and the disorders followed.

## NORTH PENN DEFICIT PUZZLES OFFICIALS

Moyer, Admitting \$900,000  
Shortage, Fails to Explain  
Leakage.

PHILADELPHIA, July 22.—What became of the \$900,000 that had faded away from the North Penn Bank, which closed its doors last Friday, is the big question that is facing the State banking investigators. Ralph T. Moyer, the cashier who was arrested to-day in connection with the failure and held in \$25,000 bail for a hearing Tuesday, has admitted the North Penn is \$900,000 short, according to John S. Fisher, State Banking Commissioner, but he has failed thus far to inform the State officials who got the money.

Moyer, after he was released on bonds furnished by a surety company, said he did not profit one penny in the bank's transactions. He said he was not accused of stealing, but only with misapplying funds and impairing the bank's credit. The charges against Moyer are perjury, for making false reports of the bank's condition, receiving deposits when he knew the bank was insolvent, embezzlement, abstraction and wilful appropriation to the use of other persons and companies of money, securities and property belonging to the bank, and money, securities and property left with the bank as special deposits, pledging and rehypothecating stocks, bonds and securities received by the bank as security for money lent and borrowed without the consent of the parties pledging it, and destroying and falsifying the books and securities of the bank.

Other arrests are hinted at, but State officials refuse to discuss whether any other persons will be criminally involved. Directors and stockholders willing to talk said they were not aware of the true condition of the bank until the crash came. The North Penn was what is known in banking circles as a "one man bank." Moyer, on a salary of \$3,000, attended to all its affairs, according to his brother, and no one else knew much about the affairs of the institution.

State officials say there were large over extensions of loans and the amount of overdrafts found, according to James W. MacBurney, the receiver, were large. Mr. Fisher announced that a thorough investigation of all the bank's loans would be made and that quick action would be taken in every case where any irregularities were found.

Despite Moyer's assurance that creditors of the bank will lose nothing, depositors are giving up hope that they will get much out of the crash. The bank was capitalized at \$150,000 and under the law the stockholders are liable for below the shortage admitted by Moyer.

## B. R. T. TO IMPROVE SERVICE. Agrees to Add Cars on Smith Street Line.

Following a hearing on complaints against the service on the Smith street line in Brooklyn, Deputy Public Service Commissioner Barrett has obtained a promise from the Brooklyn Rapid Transit Company officials to put in service two additional cars between Park Circle and Kings Highway. Also to keep an emergency car and crew at Park Circle to send south to fill in gaps in the service that may be caused by blocks at the Gowanus Canal.

This is a summer arrangement. On October 6 another hearing will be held to plan a winter schedule.

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GOLDEN  
GLOW  
GINGER ALE

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why  
MOHAWK  
TIRES  
wear longer  
is the extra  
ply of fabric

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of New York, Inc.  
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"Factory"—Akron, Ohio.

## TIGER MUST DECIDE ATTITUDE ON ALLEN

Executive Committee Divided  
on Whether to Indorse  
Hearst City Justice.

### SMITH'S ADVICE IS "NO"

Robert L. Luce to Be Recom-  
mended for Justiceship He  
Holds by Appointment.

Tammany Hall is up against a question of policy that has been giving its leaders no end of anxiety in the last few days. It is whether at the meeting of the executive committee to be held to-night it shall indorse James A. Allen, City Court Justice, a follower of William Randolph Hearst, for renomination or whether it shall turn him down in favor of a regular member of the organization.

Charles F. Murphy has been listening to advice, but up to last night had not announced his conclusion. The sentiment among the big leaders seems to be somewhat evenly divided. One thing is certain. It is that Mr. Hearst intends to do all in his power to defeat Robert L. Luce, who is yet to be appointed to the Supreme Court bench to succeed Justice Clarence J. Shearn. Since that appointment Mr. Hearst has not ceased to attack Gov. Smith in the columns of his papers.

Justice Allen was formerly one of the pillars in Mr. Hearst's Independence League. His renomination to the City Court bench by Tammany some years ago was openly a favor to Mr. Hearst. At first thought the obvious thing to do might seem to be to retaliate against Mr. Hearst for his opposition to Justice Luce by refusing to renounce Justice Allen. But it has been argued by some of the leaders that the presence of Justice Allen on the Tammany ticket might tend to minimize or at least neutralize the attacks of the Hearst papers on Jus-

tice Luce. Furthermore, these leaders say, if Justice Allen is turned down it may result in Mr. Hearst opposing the entire Tammany ticket, from President Moran of the Board of Aldermen down. As a matter of fact some of the shrewdest anti-Tammany leaders express the opinion that Mr. Hearst eventually will find himself against the entire ticket anyway, as they say he cannot use his most effective anti-Tammany ammunition while he is supporting any part of their ticket.

There are those among the Tammany leaders, and among them is Gov. Smith, who believe that in the end it gets the organization nowhere to play with Mr. Hearst. They are for repudiating him and all his works. If that advice is taken to-night, the Tammany candidate for City Court recommended in place of Justice Allen will be one of the well known young men in the organization.

Richard H. Smith, City Court Justice, will be recommended for renomination and Cornelius J. Collins, Justice of the Court of Special Sessions, will be recommended for the third City Court nomination. In place of Justice Lorenz Zeller, who is considered too old for renomination.

The executive committee will recommend Robert L. Moran for renomination to the post of President of the Board of Aldermen.

For the Supreme Court the Recommendations will be Justice Joseph E. Newburger, whose term is expiring, and Justice Robert L. Luce, who is yet to be elected, although he has served on the bench before by appointment.

Although Senator James A. Foley, son-in-law of Charles F. Murphy, has not definitely decided to run for Surrogate to succeed Surrogate Robert J. Fowler, whose age prevents his renomination, it is considered more than likely that the executive committee will put him on the slate for that nomination.

The Democratic leaders in Brooklyn decided yesterday to have an unofficial conference for the formal selection of the organization ticket to present at the primaries. This decision was reached because it was felt that the fact that the Republican ticket is to be chosen at an unofficial convention to-morrow night would give the selections a great advantage over a Democratic ticket. In the picking of which the rank and file of the party had no chance for a voice.

John H. McCooey, the Democratic boss, will decide on the slate with a few of his lieutenants Friday afternoon, but the public picking will be done at a conference to be held that evening at a place not yet fixed.

It has been suggested that District

Attorney Lewis, the Republican, be indorsed for renomination. More likely, however, Charles J. Dodd, Magistrate, will be picked to make the race. Surrogate Wingate, County Clerk Kelly and Register Webster probably will be recommended for renomination. For Sheriff, however, there is a free for all race and the lucky man will not be known until Friday afternoon.

## K. OF C. IN EDUCATION DRIVE.

Father Wynne and Arthur Somers  
to Aid Big Movement.

The Rev. John J. Wynne, S. J., of New York, editor of the Catholic Encyclopedia, and Arthur Somers, former president of the New York City Board of Education, have joined the force of educational experts which the Knights of Columbus is enlisting to prepare a system of practical supplementary courses for the 600,000 members of the order.

These educators will meet in New York on Sunday and call into consultation other educators of the country. The meetings will continue for a week, after which the six men selected by the K. of C. to draw up a concrete programme will proceed to the peace convention of the K. of C. in Buffalo. The convention, it is expected, will adopt the plan they recommend, and in that event steps will be taken to introduce the curriculum of studies into the 2,000 schools.

## SAYS HE CURES PINPRICKS.

"Prof." Bockra Gets \$25, One  
From Court That Hurts, However.

Benjamin Gittens, a negro, known professionally as "Prof. John Bockra," was fined \$25 in Gates avenue court, Brooklyn, yesterday as a disorderly person on evidence gathered by Mrs. Adele Pries, a detective of Deputy Commissioner O'Grady's staff. Gittens claims to possess peculiar gifts which enable him to give sound advice in business and love affairs and to cure certain ailments, including pinpricks. If he is furnished the pin that inflicted the injury.

Mrs. Pries said she called on Gittens in 73 Lexington avenue, Brooklyn, July 16 and for 50 cents received a great deal of advice, accompanied by vigorous rubbing of her arm. Mrs. Pries produced the man's business card, which describes him as "the greatest mystery of the age." It was said that he had a large clientele of both whites and negroes.

## DEMOCRATS LIKELY TO BACK ROOSEVELT

Unanimous Election Is Hinted  
in Democratic Leader  
O'Keefe's Newspaper.

### VICTORY SURE ANYHOW

Lieut.-Colonel Says He'll Not  
Insure, but Will Be "Reg-  
ular" Republican.

It looks now as though Lieut.-Col. Roosevelt, who has decided to enter politics as Assemblyman from the Second district of Nassau county, would receive an election to that office on a silver platter.

Normally it is a Republican district, and with the Roosevelt name to help him the elder son of the late Colonel is practically sure of election anyway. The Democrats have even conceded it, and Thomas O'Keefe, former State Senator, Democratic leader of the county, almost has committed his party to indorsing the young man. In the current issue of the Oyster Bay Pilot, owned by Mr. O'Keefe, appears this editorial:

"The entry of Lieut.-Col. Theodore Roosevelt into the political arena appears to be definitely settled by the retirement of Mr. Cole. It is even hinted that the Democrats may indorse him and send him to the Legislature with a unanimous constituency. This is not surprising, since he is the embodiment of the newer ideals to many a representative of the soldier youth among whom old-time loyalties may well become a vague import."

"Col. Roosevelt in a way carries a heavy handicap in his late father's greatness. Much will be demanded of him by a lesser ancestry would not have evoked. The small minded critics will sneer at him as merely his father's son, although he has already shown much of his individual mettle. Also, it is well worth remembering that blood will tell.

But here's hoping he may show that he can stand quite alone."

When the Lieutenant-Colonel gets to the Assembly he will not be an insurgent. "I will be regular of regular Republicans," he said yesterday in reply to a question as to what he had in mind as his future policies.

"I have some policies in mind," he added, "but I prefer not to discuss them until just before election. Wait until you see the whites of their eyes. That is good advice in politics as well as in battle."

It is believed that the young man has no desire to advance too rapidly or to hurdle over the heads of men who have started before him, but already some of his friends are talking about the possibility of his becoming Speaker of the Assembly in a year or two after Thaddeus C. Sweet, the present Speaker, decides to retire.

## EXPERT MARKSMEN HOME WITH TROOPS

Lieut.-Col. Hodges and Capt.  
Farr Arrive on the  
America.

Nearly 700 military passengers arrived yesterday by the transport America, including ninety-seven officers and 2,175 men of the Sixth Infantry, Fifth Division, commanded by Col. Isaac Newell. Lieut.-Col. C. H. Hodges, second in command, is an expert marksman, who won leading by a substantial score in the contest for the championship of the American Expeditionary Force was forced to retire by an injury to the eye caused by a shell ejected from his rifle. Another sharpshooter arriving by the America is Capt. M. S. Farr, once professor of geology at Princeton and champion marksman of the Second New Jersey National Guard, and thirty-five balloon companies in the army when the armistice was signed.

The Holland-America liner Rotterdam, from Rotterdam and Brest, brought 2,250 military passengers and 750 civilians. J. W. L. Garrett, American Minister to Holland, arrived with his wife, after an absence of five years from the United States. He was in Paris three years as special agent for the State Department, and took the place of Minister Van Dyke

on the latter's resignation. He said he believed Holland would rapidly recover from the depression of the war if she got ships to transport her products. He has sixty days' leave, and will spend it in Baltimore chiefly.

Mr. Walter and Lady Townley are on their way to Canada to see if they would like to settle there. He is the retiring British Minister to Holland. Mrs. Hampton Gary, wife of the American diplomatic agent at Cairo, came back with her two children. She said her husband also had started to return, but had been recalled by the State Department because of the crisis in Egyptian affairs.

### George Primrose Seriously Ill.

SAN DIEGO, Cal., July 22.—George Primrose, veteran minstrel man, who came here three weeks ago suffering from a stomach disease, was reported seriously ill at a hospital to-day.

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# PACKARD TRUCKS MAKE NEW METHODS POSSIBLE IN BULK HAULING

Men in the Building, Contracting and Construction  
trades are learning to figure bids for work on a known-  
in-advance hauling cost

**E**STIMATES based on uncertain hauling costs are liable to be high because profits must be protected. But the substantial business man who is in the business permanently finds it difficult to bid safely against the "take a chance" contractor or builder.

This problem in its various phases has been worked out by the Packard Freight Transportation Department during several years and in many cities.

The hauling of bulky materials on building, contracting and construction work has been given scientific study and today you can secure from this department hauling data that is invaluable wherever low and certain costs are necessary.

Last year alone the Packard Freight Transportation Department conducted practical field tests for several months with 1700 Packard trucks of all classes.

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Packard trucks on the heaviest possible duty with Pershing in France have brought back hundreds of records for high mileage, continuous service and low operating cost.

From French and British armies identical reports

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The value to you of these tests and records is that they have given the Packard Freight Transportation Department a clean-cut and definite basis for figuring the cost of hauling bulky materials.

No matter what class of work you may be bidding on you will find many parallel cases within our experience. We can tell you what to expect in the way of haulage costs on your jobs.

It is only natural to expect that the Packard Freight Transportation engineers have designed their larger truck units in the light of this unusually wide heavy hauling experience.

And you will find that the actual performance of these Packard trucks is a tribute to their rugged design and careful engineering.

Certainly the business man who wishes to make successful bids with a sure profit will be interested in Packard 100,000 mile performance, Packard over-load capacity, Packard reserve power, Packard continuous service—and the low hauling cost which these things insure.

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Newark: Broad Street at Kinney  
Jersey City: Boulevard at Carlton Avenue  
Plainfield: 628 Park Avenue  
Paterson: 489 Broadway  
Hartford: Washington Street at Park

New Haven: 204 York Street  
New London: 391 William Street  
Springfield: 832-34 State Street  
Pittsfield: 121 West Street